

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2:14-cv-02188-JAD-CWH

Tracy Meadows, as representative of the Estate of
D'Andre Berghardt, Jr.,

Plaintiff,

v.

The United States Department of the Interior Bureau
of Land Management; Brian Loftin; and Meagen
Martin,

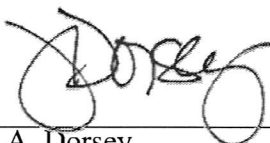
Defendants.

Order
[#17]

Tracy Meadows brings this action against the U.S. Department of the Interior Bureau of Land Management and BLM officers Meagen Martin and Brian Loftin for the death of Meadows's son, D'Andre Berghardt, Jr., near Red Rock Canyon in 2014.¹ She pleads *Bivens* claims against Martin and Loftin for excessive force and deprivation of medical care, and asserts a separate claim against the BLM under the Federal Tort Claims Act.² On April 28, 2015, Loftin and Martin moved to dismiss Meadows's deprivation-of-medical-care claim based on qualified immunity.³ Meadows has affirmatively represented that she consents to the dismissal.⁴

Good cause appearing, IT IS HEREBY ORDERED that Martin and Loftin's Motion to Dismiss [Doc. 17] is **GRANTED**. Plaintiff's claim for deprivation of medical care (count 2) is **DISMISSED**.

Dated this 27th day of May, 2015.



Jennifer A. Dorsey
United States District Judge

¹ Doc. 8.

² *Id.*

³ Doc. 17.

⁴ Doc. 22.